

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-MJ-8332-BER

FILED BY TM D.C.

SEP 09 2022

ANGELA E. NOBLE
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S.D. OF FLA. - W.P.B.

IN RE SEALED SEARCH WARRANT

FILED UNDER SEAL

MOTION TO SEAL NOTICE

The United States of America moves the Court to place under seal, until further order of the Court, the Notice Regarding Additional Partial Unsealing of Search Warrant, and the attachment to that notice, filed on September 9, 2022. In support of the Motion, the government states:

1. Courts have inherent power to control access to papers filed with the courts. *Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 598 (1978). Courts have traditionally been "highly deferential to the government's determination that a given investigation requires secrecy and that warrant materials be kept under seal." *Times Mirror Co. v. United States*, 873 F.2d 1210 (9th Cir. 1989). Therefore, courts have routinely granted government requests to seal warrant materials where there is a need for secrecy. See *Washington Post v. Robinson*, 935 F.2d 282, 289 (D.C. Cir. 1991).

2. The Notice contains a partially redacted version of the search warrant affidavit, submitted in support of the search warrant signed and approved by the Court on August 5, 2022. This version contains fewer redactions than the previous, publicly unsealed affidavit. The full, unredacted affidavit remains under seal pursuant to an earlier order of the Court. A different, partially redacted version of the affidavit was ordered unsealed by the

Court, Docket Entries (“D.E.”) 94 and 99, and is publicly available at D.E. 102-1. The version attached to the current, September 9, 2022 Notice contains revised redactions, which reveal additional information that has subsequently been revealed in public court filings in a related civil case pending in this district, *Trump v. United States of America*, Case No. 9:22-cv-81294-AMC, and which the government has received authorization to disclose from the U.S. District Court for the District of Columbia.

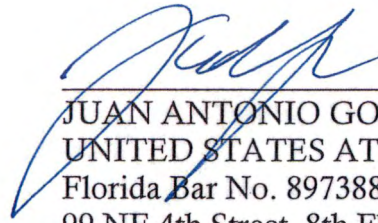
3. In the interest of transparency, as well as the principle that limitations on public access to judicial proceedings should be “narrowly tailored,” *Globe Newspaper Co. v. Superior Court*, 457 U.S. 596, 607 (1982), the government will move at the appropriate time to unseal this notice and all accompanying filings.

CONCLUSION

WHEREFORE, for these reasons, the United States of America respectfully requests that the Court issue an Order sealing the Notice Regarding Additional Partial Unsealing of Search Warrant and its accompanying attachment.

Dated: September 9, 2022

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Juan', is written over a horizontal line.

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